

MARICOPA COUNTY BOARD OF HEALTH MEETING

Monday, October 24, 2011

301 W. Jefferson Street, 10th Floor

Phoenix, Arizona 85003

Board of Supervisors Conference Room

Mr. Cassano called the meeting to order at 3:40 pm.

ROLL CALL:

Members Present:

Don Cassano

Francisca Montoya

Shannon Smith—via telephone

Brian Spicker

Maricopa County Supervisor Stapley, District 2

Kip Steill

Members Excused:

Zuhdi Jasser, M.D.

Members Absent

Andrew Ingram

Ex-Officio: Bob England, M.D.

CALL TO THE PUBLIC:

Don Cassano advised that if anyone from the public is present at the meeting today who would like an opportunity to speak, a Speaker Request Form is available and must be filled out prior to addressing the Board of Health. The Board of Health cannot take action on but only discuss questions from the public under the Call to the Public section.

ACTION/DISCUSSION ITEMS:

1. Approval of the August 22, 2011 BOH Minutes:

Shannon Smith requested that a correction be made to the minutes noting that the vote for fee waivers was not unanimous that she was not in favor to approve any of the fee waivers.

Supervisor Stapley motioned to approve the August 22, 2011 BOH minutes with corrections. Ms. Montoya seconded the motion. The motion passed unanimously.

2. Request to have students exempt from Food Service Workers

Ann Shively, representative from Glendale Unified School District (GUSD) discussed the impact that the volunteer food cards have had on her students and her district. GUSD is made up of nine schools and two alternative sites where culinary and marketing programs are available. In addition, nine of these sites have cafeterias that serve breakfast and lunch to students. There are about 15,000 students in the district and this new requirement of being charged to obtain a food workers card has impacted about 2200 of the students in this district. The culinary program allows students to cater a few events throughout the year on campus and the marketing program allows for a school store that sells foods that include preparation where they would need a food workers card. In addition, GUSD is a full title 1 school which means some students are on free and reduced breakfast and lunch program and so we have students who work in the cafeterias who help serve food. Basically, what has happened with getting rid of the volunteer cards, which seemed to happen in conjunction with House Bill 2012, our students have been asked to pay \$10 to obtain card. In the past, our students were able to test and get a volunteer card free of charge. Being charged this fee has put a burden on many of the districts families. We feel like it is inequitable because there are school districts and counties who do not require food workers cards. We do have some students that have always paid and gotten the "real" card that they could go out and get a job with but the students that are being burdened are those who are strictly doing volunteer work and would not be using these cards

for any type of paid employment. I am asking for exemption or possibly reinstate a volunteer card for students where they would not be able to use it for any other purpose except for their high school education. I do have a fee waiver submitted as well if I cannot get an exemption. However, this is something that if we can get this taken care of now for all students, it would avoid having to request a fee waiver each time and having to come back.

Francisca Montoya asked that the price be clarified – In the past, the schools have not paid any fees. The \$10 test and the \$5 card were offered for free.

John Kolman spoke on behalf of the environmental services department. Legislation was passed that required people to pay for the test and card if they were providing services either on a volunteer or paid basis in this capacity. This fee now helps with the cost of checking and ensuring that every person is obtaining a fee.

Shannon Smith said that we need to address the overall issue instead of simply approving the fee waiver that may have a huge ripple effect.

So, is our only option to grant the fee waiver at this time? Let's assume we grant the fee waiver, would we be in compliance to granting the fee waiver. Mr. Kolman stated that it must be a 501(c)3 that serves the underserved populations and that I don't know if GUSD falls in this category. Supervisor Stapley suggested having the culinary and marketing programs to get there 501(c)3 submitted and then go from there.

Shannon Smith said we couldn't grant the fee waiver if they weren't a 501(c)3, however Ms. Shivley stated that she understood it to be true that other criteria could be submitted and that the 501(c)3 was not the only requirement for received a waiver.

Mr. Kolman said that they could revise some language and come back and provide additional information that would have a provision for school program such as these to qualify for waivers.

3. Fee Waivers

Ms. Jeannie Taylor of Environmental Services presented 11 fee waiver applications to the Board of Health. The department of Environmental Services does not object to any fee waiver application.

Supervisor Stapley motioned to approve fee waiver applications 1-10, Ms. Montoya seconded the motion. The motion passed with a 5 to 1 vote.

Mr. Kolman suggested that as the language is being reviewed and possibly changed to include waivers for school programs that repertory discretion could be used until such a time when the matter is firmly resolved. The only requirement is that the children participating in this are under a food certify worker manager. Supervisor Stapley requested that this be made possible to all other school districts.

Brian Spicker made the motion to table #11 and any other like schools related to the food service worker card and that they be able to continue their culinary and marketing programs under the supervision of a food certified manager until the department reviews and approves new language to include schools to be included in this code. Supervisor Stapley seconded the motion. The motion passed unanimously.

4. Amendment to the Maricopa County Environmental Health Code (MCEHC)

Mr. Kolman presented a full packet to the board of health some fee and code changes for Chapters I, II, IV, V, VI, VII and VIII. The fee package does two things. We are actually looking at a net zero fee package, that doesn't increase our revenue. We are looking to balance our fees to ensure that we are capturing the right type of fees for the service and how we capture indirect services. We are also looking at an annual special event that allows operators to come in and pay one fee and run for the entire year. It also allows us to do some competition food permits. You will see that a lot of fees have actually been dropped such as plan reviews. Big changes have been in the water/waste fees. We also changed some chemical toilets. We are clarifying what this actually means so it would decrease the public's cost. Every year we look at our fees to ensure that we are capturing the correct cost. Even though it looks like a lot of fees it is just that a lot of them were lumped together that are now broken apart.

Brian Spicker asked in reference to table 2 of the document, how does the most recent conversation related to the school program of culinary arts tie in together? Mr. Kolman stated that this fee would cover having their employees go in and test culinary programs at schools which are separate from the issue at hand.

Below is a list of the code changes in summary—

Most of the changes in the codes were cleaning up specific areas to ensure that we are meeting new guidelines. We cleaned up how we view applications for new permits and how signs are posted. In relation to sewage and waste, we cleaned up language and provide procedures and guidelines for non hazardous waste functions, chemical toilets, and portable toilets for big trailers, earth pit privies, and public gatherings. In addition onsite clean up, we made sure we had the right procedures in place. In the swimming pool and semi bath house section we took out bath houses and water quality issues because they are covered under other areas. The food service worker and manager section was cleaned up and specifies 30 days instead of one month to receive cards. Food and Food Products were the bulk of the changes because of the new FDA food code model that we adopted.

We did workshop all of the changes and invited all of our stakeholders to take part and changed some based on their participation.

Mr. Spicker motioned to accept the amendments to the Maricopa County Environmental Health Codes as presented. Supervisor Stapley seconded the motion. The motion passed unanimously.

5. MCESD Proposal to Transition the Family Daycare Inspection Program to a Third Party

Mr. Bryan Hare with the Environmental Services department presented a PowerPoint presentation on the family daycare inspection program. (PowerPoint can be provided upon request)

The Family Daycares (Home Daycares) are administered under the Child and Adult Care Food Program by the Arizona Department of Education. There are currently 12 participating agencies in Maricopa County. Home Daycares are not a requirement of the Environmental Health code. There is not a prescriptive code being utilized in the State of Arizona. This is not a delegated program from the State, but a contract that Maricopa County signs with each individual agency.

The Department is conducting work outside of its mission of performing mandated and delegated functions, which is impact our available resources. The home daycare safety needs are not under the jurisdiction of the Environmental Services Department.

We did contact 15 other counties to see what they are doing with similar programs. As you can see (according to study on PowerPoint) that fees vary from \$40-\$105. There is no code being used to streamline across the board. Some counties have sanitation specialists who perform these and some refer to a third party service. This is seen with state run programs as well.

Environmental services department is proposing to allow the home daycare program to transition to Public Health Department. Our current contract expires June 30, 2012 at which time the program would move to public health. Public health can inspect as a part of their existing programs. The other option would be to have agencies could contract directly with third party if they desire.

Dr. Bob spoke on behalf of public health saying that public health was working with environmental services to see if this could be a part of our childcare consultation program which is funded by First Things First. First Things First says that we can only do this with licensed care centers. I was very interested in this because it seems like an ideal group because if any group this group seems less likely to be plugged in about knowledge on how to have a healthy environment for their kids. The problem is, that because I can't use First Things First money because of how the contract is stated right now to supplement this, the amount of time that we currently spend in these child care centers, it would require a lot heavier fees than environmental services is currently charging for this kind of work and I doubt I can make it self supportive.

Shannon Smith made the motion to approve the transition of home day care inspections from environmental services to a third party inspectors or agencies. Francisca Montoya seconded the motion. The motion passed unanimously.

6. Clarity of Authority of Executive Committee

Dr. Cassano clarified the role of the executive committee and after legal counsel reviewed our bylaws, it is not possible for the executive committee to act on the entire board's decisions and to vote when there is a lack of quorum for the full board of health.

Dr. Cassano said that we would be looking to add to the next agenda item the election of a chair.

DISCUSSION ITEMS

1. Public Health Report

Dr. Bob England presented the following matters to the Board.

Human Resources

Dr. Bob said that he would be available to chat with after the meeting as his presentation was information only and could wait until the next meeting if members had to leave.

Human Resources – We have a number of confident public health professionals who have been elevated to management positions without training. We have been undergoing a leadership training course for every manager that is looking very valuable.

Infrastructure – We have a new vital records site that opened today in east Mesa. We also have space given to us in Maryvale hospital for our Healthy Start program. Another example of how we are partnering with less to do more.

Programs – Performance Improvement and Policy Office –

Performance Improvement is pushing ahead with our quality improvement. We have completed the first two phases of community input which is a survey based model and a series of focus groups with more than 100 community partners to begin to do a community health assessment. We are combining the subject data with objective input currently about different parts of our community to develop a true community health assessment to conduct a community health improvement plan.

Policy Office – we have been moving as much as we can away from one on one education to systems and policy change to have a bigger effect on people. WE have been working hard for more than a year with our tobacco office and Maricopa Community Colleges. MCC has adopted a policy to implement smoke free campuses within the next year. This is the largest community college in the nation to do this. This is HUGE for second hand smoke and the amount of change that this can produce.

No vaccine is perfect. For herd immunity to work, when there is an outbreak that happens, any one that is not vaccinated, has to be excluded, not to only protect them but to keep the outbreak from perpetuating and to keep others from being exposed. DO parents know that when they refuse to immunize their children that there are these stipulations. Yes, it is on every waiver and it is explained. My most promising thing with regards to our goals is that we developed a really nice brand new sophisticated tool for monitoring flu vaccines with our ASU students. My plan is to take this information and go to the major insurers.

Adjournment

Mr. Spicker motioned to adjourn the meeting. Supervisor Stapley seconded the motion. The motion passed unanimously.